United Nations CERD/C/ARE/Q/18-21

International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination
Ninety-third session
31 July-25 August 2017
Item 4 of the provisional agenda
Consideration of reports, comments and information submitted by States parties under article 9 of the Convention

List of themes in relation to the combined eighteenth to twenty-first periodic reports of the United Arab Emirates

Note by the Country Rapporteur

1. The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session (see A/65/18, para. 85) that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. The present document contains a list of such themes. It is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

The Convention in domestic law and the institutional and policy framework for its implementation (arts. 1, 2, 4 and 6)

2. Updated statistical data on the ethnic composition of the population disaggregated by age, gender, ethnic group and nationality; detailed statistical information on the enjoyment of economic, social and cultural rights by ethnic groups and their representation in public and political life in the State party (CERD/C/ARE/18-21, para. 19; CERD/C/ARE/CO/17, para. 10).

3. Information on efforts to bring the prohibition on discrimination in article 25 of the Constitution in line with article 1 of the Convention (CERD/C/ARE/18-21, para. 21).

4. Updated information on measures taken to strengthen the legal framework on racial discrimination and their impact (CERD/C/ARE/18-21, paras. 21-29).

5. Detailed information on the implementation and impact on the situation of ethnic minorities of Decree-Law No. 2 of 2015 on combating discrimination and hatred, including examples of cases brought before national courts for infringement of that Decree; information on efforts to ensure that the prohibition on hate speech contained in the Decree is in line with article 4 of the Convention (CERD/C/ARE/18-21, paras. 23-28).

6. Additional information on the amendment to the Federal Criminal Code (Federal Act No. 3 of 1987) enabling the consideration of racial discrimination as an aggravating circumstance; examples of cases where that provision has been applied by national courts (CERD/C/ARE/18-21, para. 22).

7. Additional information on Decree-Law No. 5 of 2012 on combating cybercrime as it relates to the provisions on circulating ideas that incite hatred or racism, or prejudice

national unity or social peace, or breach of public order or public morals, including examples of the application of that provision by national courts, and types of penalties imposed for violations (CERD/C/ARE/18-21, para. 29).

8. Information on efforts to establish a national human rights institution in line with the voluntary commitment made by the State party in 2008 during the universal periodic review (A/HRC/WG.6/15/ARE/1 and Corr.1, para. 10).

Situation of ethnic minorities (arts. 2 and 4-6)

9. Detailed information and statistical data on number of complaints of racial discrimination, hate crimes and hate speech in the State party and number of investigations, prosecutions and convictions of perpetrators; information on measures taken to ensure access to judicial remedies by ethnic minorities for violations of the rights under the Convention (CERD/C/ARE/18-21, para. 30).

10. Information on the participation of ethnic minorities in public life and their representation in State institutions, including statistical data on members of minority groups employed in public institutions and administration at all levels (CERD/C/ARE/18-21, paras. 34-37).

Situation of non-citizens, including stateless persons and migrants (arts. 5 and 7)

11. Statistical data on the numbers of non-citizens, including stateless persons, migrants, refugees and asylum seekers in the State party.

12. Updated statistical data on remittances sent by foreign workers to their respective countries (CERD/C/ARE/18-21, para. 94).

13. Updated information on measures taken to ensure that the rights under the Convention are guaranteed to non-citizens, without discrimination, and on the implementation and impact of such measures (CERD/C/ARE/18-21, para. 21).

14. Updated information on measures taken to end the sponsorship (*kafala*) system and to guarantee migrant workers all the rights under the Convention; information on the implementation and impact of measures to protect migrant workers from forced labour and related practices (CERD/C/ARE/18-21, paras. 94-127; CERD/C/ARE/CO/17, para. 15).

15. Information on measures taken to protect domestic workers and to ensure that all their rights under the Convention are guaranteed (CERD/C/ARE/18-21, paras. 128-130; CERD/C/ARE/CO/17, para. 16).

16. Updated information on the situation of bidouns in the State party, specifically on measures taken to address their status as stateless persons and to ensure they have access to health care, education and employment without discrimination (CERD/C/ARE/CO/17, para. 18).

17. Information on the implementation and impact of the royal directives issued on 2 December 2011 granting citizenship to the children of female citizens married to foreigners; information on the right to citizenship of women with foreign nationality married to Emirati men (CERD/C/ARE/18-21, paras. 131-132).

18. Information on measures taken to reduce and prevent statelessness in the State party and the impact of such measures.

19. Updated information on efforts to strengthen Federal Law No. 51 of 2006 on combating human trafficking and the implementation of that Law to prosecute, convict and penalize human traffickers in the State party; information on other measures taken to prevent human trafficking and protect victims in the State party (CERD/C/ARE/18-21, paras. 108 and 119-120).

Training, education and other measures to combat prejudice and intolerance (art. 7)

20. Updated detailed information on training in the prevention of racial discrimination and the rights enshrined in the Convention conducted for law enforcement officers, judges and lawyers, as well as representatives of State bodies, local government entities and associations (CERD/C/ARE/18-21, paras. 33 and 84-91).